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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,905	08/31/2001	Osamu Imaichi	1021.40599X00	8131

20457 7590 07/12/2005

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EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/942,905

Applicant(s)

IMAICHI ET AL.

Examiner

Anh Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is response to Applicants' Amendment filed on 04/12/2005.
2. Claims 1-23 are pending in this application.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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5. Claims 1-3, 6-8, 10-18 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,078,917 issued to Paulsen, Jr. et al. (hereinafter Paulsen) in view of Pub. No.: US 2001/0047351 A1 of Abe.

With respect to claim 1, Paulsen teaches instructing a document search by specifying a document database j to be searched based on a search result generated from a previous search of a document database I (col. 2, lines 32-44, col. 6, lines 36-55); and

an associative search recording table which records the number of times xij of searching said document database j based on the search results generated from the previous searches of said document database I (col. 6, lines 36-55 and col. 7, lines 12-35; also see col. 9, lines 15-40 and col. 14, lines 6-35).

Paulsen teaches performing a document search from a plurality of document databases over the Internet network and a user enable to determine a next search statement from user selection of a returned document or based on the search result generated from a previous search of a document database and the number of times of searching the document database based on the search results from the previous searches (abstract, col. 2, lines 32-44, col. 6, lines 36-55; also see fig. 7). Paulsen does not clearly teach an associative search server and among a plurality of document databases.

However, Abe teaches document management server including multiple document databases (see fig. 1, item 46 and 50, sections 0027 and 0037).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paulsen with the teachings of Abe, wherein the searching of a document from document databases over the Internet from a user in the system provided therein (Paulsen's fig. 2 and col. 2, lines 34-40 and col. 6, lines 6-12), would incorporate the use of multiple document database from a management document server, in the same conventional manner as described by Abe (see figs. 1 and 2). The motivation being to reduce the searching time required and to enhance the convenience for the user performing a document search from a plurality of document databases over the Internet.

With respect to claim 2, Paulsen teaches changing a showing order of document databases to be searched by using said associative search recording table (subsequent search: col. 6, lines 40-50).

With respect to claim 3, Paulsen teaches wherein a differing associative search recording table is stored for each user, and, by using said associative search recording table for each user, a showing order of document databases to be searched is changed according to a user (see fig. 6, and col. 9, lines 15-40).

With respect to claim 6, Paulsen teaches instructing a document search by specifying a document database  $j$  to be searched based on a search result generated from a previous search of a document database  $l$  (col. 2, lines 32-44, col. 6, lines 36-55); and

an associative search recording table which records the number of times  $x_{ij}$  of searching said document database  $j$  based on the search results generated from the

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previous searches of said document database I (col. 6, lines 36-55 and col. 7, lines 12-35; also see col. 9, lines 15-40 and col. 14, lines 6-35).

Paulsen teaches performing a document search from a plurality of document databases over the Internet network and a user enable to determine a next search statement from user selection of a returned document or based on the search result generated from a previous search of a document database and the number of times of searching the document database based on the search results from the previous searches (abstract, col. 2, lines 32-44, col. 6, lines 36-55; also see fig. 7). Paulsen does not clearly teach wherein said associative search server means comprises among a plurality of document databases, search query analyzing means for analyzing a search query from said search client, search query constructing means for sending search query analyzed by said search query analyzing means to be document database specified by the search client and means for sending a search result of said specified document database to said search client.

However, Abe teaches an analyzing unit for analyzing the search query, text document (sections 0009 and 0038, fig. 3, item 38); executing search query unit (fig. 3, item 42) and search result is sent back to the user of the system (fig. 1, item 12).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paulsen with the teachings of Abe, wherein the searching of a document from document databases over the Internet from a user in the system provided therein (Paulsen's fig. 2 and col. 2, lines 34-40 and col. 6, lines 6-12), would incorporate the use of multiple document database

from a management document server, in the same conventional manner as described by Abe (see figs. 1 and 2). The motivation being to reduce the searching time required and to enhance the convenience for the user performing a document search from a plurality of document databases over the Internet.

With respect to claim 7, Paulsen teaches showing order changing means for changing a showing order of document databases to be searched and to be shown to said search client by using data from said associative search recording table (subsequent search: col. 6, lines 40-50).

With respect to claim 8, Paulsen teaches associative search recording table storing means which stores an associative search recording table for each user, and the showing order changing means for changing a showing order of document databases to be searched and to be shown to said search client according to a user by using said associative search recording table for each user (see fig. 6, and col. 9, lines 15-40).

With respect to claim 10, Paulsen wherein for each document database of a plurality of select document databases, the associative search recording table has plural entries with differing entries for recording a respective number of times  $x_{ij}$  of searching the document database  $j$  based on a search result of differing ones of document databases  $i$ , respectively (col. 2, lines 32-44, col. 6, lines 36-55 and col. 6, lines 36-55 and col. 7, lines 12-35; also see col. 9, lines 15-40 and col. 14, lines 6-35).

With respect to claim 11, Paulsen teaches storing, in the associative search recording table, a number of times  $x_{ij}$  of searching a document database  $j$  based on a search result of a keyword  $l$  (col. 9, lines 15-40 and col. 14, lines 6-35).

With respect to claim 12, Paulsen teaches wherein for each document database of a plurality of select document databases, the associative search recording table has plural entries with differing entries for recording a respective number of times  $x_{ij}$  of searching the document database  $j$  based on a search result of differing ones of document databases or keywords  $i$ , respectively (col. 2, lines 32-44, col. 6, lines 36-55 and col. 6, lines 36-55 and col. 7, lines 12-35).

With respect to claim 13, Paulsen teaches wherein for each document database of a plurality of select document databases, the associative search recording table has plural entries with differing entries for recording a respective number of times  $x_{ij}$  of searching the document database  $j$  based on a search result of differing ones of document databases  $i$ , respectively (col. 2, lines 32-44, col. 5, lines 22-42, col. 6, lines 36-55 and col. 6, lines 36-55 and col. 7, lines 12-35; also see col. 9, lines 15-40 and col. 14, lines 6-35).

With respect to claim 14, Paulsen teaches storing, in the associative search recording table, a number of times  $x_{ij}$  of searching a document database  $j$  based on a search result of a keyword  $i$  (col. 2, lines 32-44, col. 6, lines 36-55 and col. 6, lines 36-55 and col. 7, lines 12-35; also see col. 9, lines 15-40 and col. 14, lines 6-35).

With respect to claim 15, Paulsen teaches wherein for each document database of a plurality of select document databases, the associative search recording table has plural entries with differing entries for recording a respective number of times  $x_{ij}$  of searching the document database  $j$  based on a search result of differing ones of document databases or keywords  $i$ , respectively (col. 2, lines 32-44, col. 6, lines 36-55



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and col. 6, lines 36-55 and col. 7, lines 12-35; also see col. 9, lines 15-40 and col. 14, lines 6-35).

With respect to claim 16, Paulsen teaches instructing a document search by specifying a document database j to be searched next among a plurality of document databases based on a search result generated from a previous search of a document database I (col. 2, lines 32-44, col. 6, lines 36-55); and

search recording table which records the number of times xij of searching said document database j based on the search results generated from the previous searches of said document database I (col. 6, lines 36-55 and col. 7, lines 12-35; also see col. 9, lines 15-40 and col. 14, lines 6-35).

Paulsen teaches performing a document search from a plurality of document databases over the Internet network and a user enable to determine a next search statement from user selection of a returned document or based on the search result generated from a previous search of a document database and the number of times of searching the document database based on the search results from the previous searches (abstract, col. 2, lines 32-44, col. 6, lines 36-55; also see fig. 7). Paulsen does not clearly teach storing an associative search server and a plurality of document databases.

However, Abe teaches storing the documents (col. 4, lines 51-62, col. 5, lines 10-22 and col. 11, lines 55-67; a document management server including multiple document databases (see fig. 1, item 46 and 50, sections 0027 and 0037).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paulsen with the teachings of Abe, wherein the searching of a document from document databases over the Internet from a user in the system provided therein (Paulsen's fig. 2 and col. 2, lines 34-40 and col. 6, lines 6-12), would incorporate the use of multiple document database from a management document server, in the same conventional manner as described by Abe (see figs. 1 and 2). The motivation being to reduce the searching time required and to enhance the convenience for the user performing a document search from a plurality of document databases over the Internet.

With respect to claim 17, Paulsen teaches changing a showing order of document databases to be searched by using data from said associative search recording table (subsequent search: col. 6, lines 40-50).

With respect to claim 18, Paulsen teaches wherein a differing said associative search recording table is stored for each user, and, by using said associative search recording table for each user, a showing order of document databases to be searched is changed according to a user (see fig. 6, and col. 9, lines 15-40).

Claim 21 is essentially the same as claim 10 except that it is directed to a method rather than a system, and is rejected for the same reason as applied to the claim 10 hereinabove.

Claim 22 is essentially the same as claim 11 except that it is directed to a method rather than a system, and is rejected for the same reason as applied to the claim 11 hereinabove.

Claim 23 is essentially the same as claim 12 except that it is directed to a method rather than a system, and is rejected for the same reason as applied to the claim 12 hereinabove.

6. Claims 4-5, 9 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,078,917 issued to Paulsen, Jr. et al. (hereinafter Paulsen) in view of Pub. No.: US 2001/0047351 A1 of Abe and further in view of US Patent No. 6,018,733 issued to Kirsch et al. (hereinafter Kirsch).

With respect to claim 4, Paulsen in view of Abe discloses a document search system as discussed in claim 1.

Paulsen and Abe disclose substantially the invention as claimed.

Paulsen and Abe do not teach means for calculating a registration fee of each document database by using said associative search recording table.

However, Kirsch teaches fees are charged based on the calculation of the number of documents that are variously searched, reviewed and retrieved in preparation of a search report from a particular database (col. 1, lines 55-63 and col. 2, lines 10-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paulsen in view of Abe with the teachings of Kirsch by incorporating the use of a calculation of access fee for each of document database to be searched. The motivation being to reduce the

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searching time required and to enhance the convenience for the user performing a document search from a plurality of document databases over the Internet.

With respect to claim 5, Paulsen in view of Abe discloses a document search system as discussed in claim 1.

Paulsen and Abe disclose substantially the invention as claimed.

Paulsen and Abe do not teach wherein a registration fee is calculated according to a sum of the number of times a document is a search.

However, Kirsch teaches fees are charged based on the calculation of the number of documents that are variously searched, reviewed and retrieved in preparation of a search report from a particular database (col. 1, lines 55-63 and col. 2, lines 10-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paulsen in view of Abe with the teachings of Kirsch by incorporating the use of a calculation of access fee for each of document database to be searched. The motivation being to reduce the searching time required and to enhance the convenience for the user performing a document search from a plurality of document databases over the Internet.

With respect to claim 9, Paulsen in view of Abe discloses a search server as discussed in claim 6.

Paulsen and Abe disclose substantially the invention as claimed.

Paulsen and Abe do not teach wherein a registration fee of each document database is calculated.

However, Kirsch teaches fees are charged based on the calculation of the number of documents that are variously searched, reviewed and retrieved in preparation of a search report from a particular database (col. 1, lines 55-63 and col. 2, lines 10-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paulsen in view of Abe with the teachings of Kirsch by incorporating the use of a calculation of access fee for each of document database to be searched. The motivation being to reduce the searching time required and to enhance the convenience for the user performing a document search from a plurality of document databases over the Internet.

With respect to claim 19, Paulsen in view of Abe discloses a document search method as discussed in claim 16.

Paulsen and Abe disclose substantially the invention as claimed.

Paulsen and Abe do not teach means for calculating a registration fee of each document database by using said associative search recording table.

However, Kirsch teaches fees are charged based on the calculation of the number of documents that are variously searched, reviewed and retrieved in preparation of a search report from a particular database (col. 1, lines 55-63 and col. 2, lines 10-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paulsen in view of Abe with the teachings of Kirsch by incorporating the use of a calculation of access fee for

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each of document database to be searched. The motivation being to reduce the searching time required and to enhance the convenience for the user performing a document search from a plurality of document databases over the Internet.

With respect to claim 20, Paulsen in view of Abe discloses a document search method as discussed in claim 16.

Paulsen and Abe disclose substantially the invention as claimed.

Paulsen and Abe do not teach wherein a registration fee is calculated according to a sum of the number of times a document is a search.

However, Kirsch teaches fees are charged based on the calculation of the number of documents that are variously searched, reviewed and retrieved in preparation of a search report from a particular database (col. 1, lines 55-63 and col. 2, lines 10-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Paulsen in view of Abe with the teachings of Kirsch by incorporating the use of a calculation of access fee for each of document database to be searched. The motivation being to reduce the searching time required and to enhance the convenience for the user performing a document search from a plurality of document databases over the Internet.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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### Contact Information

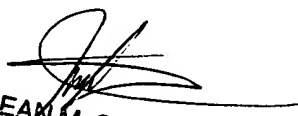
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to **(571) 273-4039**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: Central Fax Center **(571) 273-8300**

ANH LY   
JUL. 7<sup>th</sup>, 2005

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER